

EXHIBIT A

FIEGER, FIEGER, KENNEY & HARRINGTON

A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW SINCE 1950

19390 WEST TEN MILE ROAD
SOUTHFIELD, MICHIGAN 48075-2463

TELEPHONE (248) 355-5555

FAX (248) 355-5148

WEBSITE: www.fiegerlaw.com

e-mail: info@fiiegerlaw.com

BERNARD J. FIEGER (1922-1988)
MI AND NY BAR

GEOFFREY NELS FIEGER
MI, FL AND AZ BAR

JEREMIAH JOSEPH KENNEY
MI AND OH BAR (1949-2005)

JAMES J. HARRINGTON, IV

HELEN K. JOYNER
JAMES S. CRAIG

CHRISTIAN P. COLLIS
DAVID A. DWORETSKY
APRIL N. NASON

TODD J. WEGLARZ
JAMES R. McCULLEN
BRANDON J. ABRO
MELANIE J. DUDA
DANIELLE L. DEZBOR
MICHAEL D. RUSSELL
NORA YOUNKHANA
MARC S. BERLIN
KIMBERLY A. SUZOR

Appellate Department

SIMA G. PATEL
MI AND CO BAR

STEPHANIE L. ARNDT

Of Counsel

BARRY FAYNE

JACK BEAM

ROBERT P. ROTH

TAMMY J. REISS (1960-2006)

FAX COVER SHEET

DATE:

4/10/17

TO:

Special Projects/CMS

FAX:

405 - 869 - 3309

FROM:

Melanie Duda

RE:

Milda Mattia

OUR FILE NO.:

13106

OF PAGES: 3 (INCLUDING this cover sheet)

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TELEPHONE (248) 355-5555

FAX (248) 355-5148

WEBSITE: WWW.FIEGERLAW.COM

E-MAIL: INFO@FIEGERLAW.COM

TODD J. WEGLARZ

DIRECT DIAL (248) 355-2877

E-MAIL: T.WEGLARZ@FIEGERLAW.COM

April 10, 2017

Special Projects
PO Box 138868
Oklahoma City, OK 73113
FX: (405) 869-3309

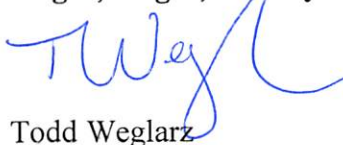
Re: Milda Mattila – Product Liability/Fungal Meningitis
Medicare No: 384123594B
Case ID: 201308509000178
Our File No: 13106

Dear Sir / Madam:

I represent Milda Mattila, who has a Third Party Liability claim against the NECC Pharmacy, pending in the Bankruptcy Court in Boston, Massachusetts. Mr. Mattila is expected to receive a total payout of *approximately* \$253,575 (before deduction of costs, attorney fees, and liens), to be paid out in three separate installments throughout the year. As you are aware, the NECC Tort Trustee, Medicare, and several other private insurers negotiated a lien reduction formula through which to resolve most of these NECC claims. Ms. Mattila had no choice but to opt out of the lien reduction program because she had three separate liens asserted against her file: Select Specialty Hospital for \$500,000 (for unpaid medical expenses); Medicare for \$23,000, and Blue Cross for \$51,000. Since that time, however, Medicare has made conditional payments to Select Specialty Hospital, and it is my understanding that Select Specialty will be releasing its lien. Thus, we now have only two liens to deal with. I propose that Medicare agree to resolve its lien per the lien reduction formula agreed to between Medicare and NECC. Under the formula, Medicare and Blue Cross would resolve their respective liens by receiving 10.75% of each settlement payout. I am attaching a copy of the NECC Lien Rights letter addressing and confirming same. Please advise if Medicare is amenable to this proposal. If you have any questions, please do not hesitate to contact me. I remain,

Very truly yours,

Fieger, Fieger, Kenney & Harrington, P.C.



Todd Weglarz

Enclosure

{00337914.DOCX}

Tracking No. 2649

Group VII B Lien Letter

**MILDA MATILLA, DECEASED
700 REYNOLD SWEET PKWY
SOUTH LYON, MI 48178**

Re: NECC National Settlement

Claim No.: 1913

Base Point Category Allowed in National Settlement: 2

Points for Lengthy Hospitalization Adjustment: 25

Points for Lengthy Anti-Fungal Adjustment: 6

Lienholders:

Medicare

BCBS-MI

Medicaid-Michigan

Approved Initial Payment Amount: \$104,586.41

Negotiated Lien Percentage to Medicare: 10.75%

Negotiated Lien Percentage for BCBS-MI: 10.75%

If you wish to participate in the Lien Resolution Programs

Negotiated Lien Amount (from initial payment) to be paid to Medicare: \$11,243.04

Negotiated Lien Amount (from initial payment) to be paid to BCBS-MI: \$11,243.04

Dear MILDA MATILLA, DECEASED:

Our records indicate that the Centers for Medicare & Medicaid Services ("CMS") has a potential claim against you related to your Initial Payment from the NECC National Settlement Fund, as you were eligible for Medicare benefits between September 1, 2012 and May 31, 2013. Our records also indicate that a Participating Lienholder (BCBS-MI) has asserted a lien against your Initial Payment from the NECC National Settlement Fund for reimbursement of medical care expenses arising from your exposure to a contaminated NECC product. In addition, our records also indicate that the state Medicaid Agency(s) and/or Medicaid Provider(s) referenced above have a potential claim against you related to your Initial Payment Amount from the NECC National Settlement Fund.

As the NECC Tort Trustee, I have entered into an agreement with CMS to establish a resolution program for CMS' claims for reimbursement of Parts A and B Medicare—covered items and services associated with injuries from the administration of contaminated NECC products paid and to be paid under Medicare on behalf of Medicare-Entitled Claimants. The full agreement is available at www.neccsettlement.com. I have also entered into an agreement with the Participating Lienholder listed above to establish a lien resolution program for the Lienholder's Claim against Claimants for reimbursement of medical care expenses arising from Claimant's exposure to contaminated NECC products. That agreement is attached (with Exhibits A & B).

*** TX REPORT ***

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